

Center for the Environment filed a lawsuit against the Ministry of Spatial Planning, Construction and Ecology regarding the issuance of an environmental permit for the construction of the thermal power plant Ugljevik 3, installation capacity 2 x 350 MW. The concession for this project was extended to 44 years, despite non-compliance with the concession contract.

We want to demand that in 2018, due to a complaint by CfE, a Settlement Agreement was concluded between Energy Community Secretariat and this Ministry in Vienna, however, the Ministry violated the Agreement and initiated and ended the procedure of a new impact assessment without consulting the Secretariat. In addition, the Ministry issued an environmental permit to the investor, although the administrative dispute against the Environmental Impact Study for the same project is still ongoing.

This is the third environmental permit issued by the Ministry for the same project. The first was annulled by the court in 2013, while the second, after the settlement with the Energy Community, was abolished ex officio in 2019. However, despite all efforts, when issuing the third environmental permit, the Ministry still ignored the assumed international obligations - the Sofia Declaration and the Green Agenda for the Western Balkans, the Settlement Agreement with the Secretariat of the Energy Community, and the Espoo Convention on transboundary impacts on the environment.

“It takes several years to build this plant. Taking these facts into account, it is clear that there is a certain violation of the Sofia Declaration, which states that Bosnia and Herzegovina will become a carbon-neutral country by 2050, and the projected duration of this plant significantly exceeds 2050. In the end, we come back to the question of economic profitability and environmental justification of the project, compared to today’s prices and the global trend of renewable energy projects”, said Dragan Ostić, campaign coordinator at the Center for Environment.

He pointed out that, in addition to the procedural violations committed in the process of issuing a new environmental permit, the Ministry completely relativized the work of the existing thermal power plant and unilaterally assessed the compliance of its future work with the highest standards of environmental protection, from which the assessment of the compliance of the cumulative harmful impact was obviously derived. And thus the compliance of the environmental permit itself with the *acquis* of the EU.

“By signing the Settlement Agreement, the Ministry has just committed itself to a possible assessment of the compliance of new procedures and acts in close cooperation with the Secretariat of the Energy Community, which was not the case here. On the contrary, the Secretariat’s efforts in this regard have been ignored. Because of this, the Ministry and the

interested party have to suffer the legal consequences”, pointed out Redžib Skomorac, a lawyer at the Center for the Environment, CZZS writes.